

Date February 28, 2011

WHEREAS, the City Plan and Zoning Commission has advised that at a public hearing held on February 17, 2011, its members voted 9-0-2 in support of a motion to recommend **APPROVAL** of request from Monte and Krista Bennett (developer) to vacate the dead end portion of Crocker Street west of 19<sup>th</sup> Place and vacate the north/south alley west of 19<sup>th</sup> Place from M.L. King Jr. Parkway to Leyner Street subject to the provision of easements for any existing utilities.

MOVED by \_\_\_\_\_ to receive and file and refer to the Engineering Department, Real Estate Division.

FORM APPROVED:

  
Michael F. Kelley  
Assistant City Attorney

(11-2011-1.01)

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
GRIESS				
HENSLEY				
MAHAFFEY				
MEYER				
MOORE				
TOTAL				
MOTION CARRIED		APPROVED		

**CERTIFICATE**

I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

Date February 28, 2011Agenda Item 19A

Roll Call # \_\_\_\_\_

February 23, 2011

Honorable Mayor and City Council  
City of Des Moines, Iowa

Members:

Communication from the City Plan and Zoning Commission advising that at their meeting held February 17, 2011, the following action was taken:

**COMMISSION RECOMMENDATION:**

After public hearing, the members voted 9-0-2 as follows:

Commission Action:	Yes	Nays	Pass	Absent
JoAnne Corigliano	X			
Shirley Daniels	X			
Jacqueline Easley				X
Dann Flaherty	X			
John "Jack" Hilmes	X			
Joel Huston	X			
Ted Irvine	X			
Greg Jones	X			
Jim Martin				X
Brian Millard	X			
William Page			X	
Mike Simonson				X
Kent Sovern			X	
CJ Stephens	X			

**APPROVAL** of a request from Monte and Krista Bennett (developer) for property located in the vicinity of 1910 Cottage Grove Avenue Part A) to find the proposed rezoning in conformance with the existing Des Moines' 2020 Community Character Plan Future Land Use Map, Part B & C) to approve the proposed rezoning and PUD Concept Plan subject to the following conditions:

ZON2011-00003 &amp; 11-2011-1.01

1. Pavement of 19<sup>th</sup> Place from Crocker Street at the north to Leyner Street at the south with a hard surface as approved by the City Engineer.
2. Provision of a note on the Concept Plan that states the site shall be developed in accordance with the City's Landscaping Standards for the "C-2" District except that a 5-foot setback and a 4-foot high brick wall shall be provided along Martin Luther King, Jr. Parkway, and a 7-foot bufferyard shall be provided along 19<sup>th</sup> Place.
3. The brick wall along Martin Luther King Jr. Parkway shall consist of a design that matches the existing dumpster enclosure to the satisfaction of the Community Development Director and shall be constructed prior to issuance of any certificate of occupancy for the parking lot.



CITY PLAN AND ZONING COMMISSION  
ARMORY BUILDING  
602 ROBERT D. RAY DRIVE  
DES MOINES, IOWA 50309 -1881  
(515) 283-4182

ALL-AMERICA CITY  
1949, 1976, 1981  
2003

4. Fencing shall be constructed with a design that complies with the City's Local Historic District Fence Design Guidelines to the satisfaction of the Community Development Director and shall be constructed prior to issuance of any certificate of occupancy for the parking lot.
5. Overstory trees shall be provided along the western edge of Lot 6 to match the tree layout along the western edge of the parking lot.
6. Parking lot light poles shall not exceed 20 feet in height including any necessary base.
7. Provision of a note on the Concept Plan that states Lot 5 and Lot 6 shall be developed in accordance with the City's Local Historic District Design Guidelines to the satisfaction of the Community Development Director; and

Part D) to approve the request to vacate the dead end portion of Crocker Street west of 19<sup>th</sup> Place and to vacate the north/south alley west of 19<sup>th</sup> Place from Martin Luther King Jr. Parkway to Leyner Street subject to the provision of easements for any existing utilities.

#### Written Responses

7 In Favor

2 In Opposition

#### **STAFF RECOMMENDATION TO THE P&Z COMMISSION**

Part A) Staff recommends that the Commission find the proposed rezoning in conformance with the existing Des Moines' 2020 Community Character Plan Future Land Use Map.

Part B & C) Staff recommends approval of the proposed rezoning and PUD Concept Plan subject to the following conditions.

1. Pavement of 19<sup>th</sup> Place from Crocker Street at the north to Leyner Street at the south with a hard surface as approved by the City Engineer.
2. Provision of a note on the Concept Plan that states the site shall be developed in accordance with the City's Landscaping Standards for the "C-2" District except that a 5-foot setback and a 4-foot high brick wall shall be provided along Martin Luther King, Jr. Parkway, and a 7-foot bufferyard shall be provided along 19<sup>th</sup> Place.
3. The brick wall along Martin Luther King Jr. Parkway shall consist of a design that matches the existing dumpster enclosure to the satisfaction of the Community Development Director and shall be constructed prior to issuance of any certificate of occupancy for the parking lot.
4. Fencing shall be constructed with a design that complies with the City's Local Historic District Fence Design Guidelines to the satisfaction of the Community Development Director and shall be constructed prior to issuance of any certificate of occupancy for the parking lot.
5. Overstory trees shall be provided along the western edge of Lot 6 to match the tree layout along the western edge of the parking lot.
6. Parking lot light poles shall not exceed 20 feet in height including any necessary base.
7. Provision of a note on the Concept Plan that states Lot 5 and Lot 6 shall be developed in accordance with the City's Local Historic District Design Guidelines to the satisfaction of the Community Development Director.

Part D) Staff recommends approval of the requested vacation subject to the provision of easements for any existing utilities.

## **STAFF REPORT**

### **I. GENERAL INFORMATION**

- 1. Purpose of Request:** The subject property is bound by Cottage Grove Avenue to the north, 19<sup>th</sup> Street to the east, Leyner Street to the south and Martin Luther King Jr. Parkway to the west, excluding the properties at 830 19<sup>th</sup> Street, 1925 Leyner Street, and 1931 Leyner Street. The applicant wishes to vacate an undeveloped north/south alley segment north of Leyner Street and west of 19<sup>th</sup> Place, and a portion of Crocker Street west of 19<sup>th</sup> Place. This will allow these right-of-way segments to be incorporated into the proposed development.

The proposed PUD Concept Plan would allow for additional parking stalls to be developed for the existing Smokey Row Coffee Shop to the south of Crocker Street and for the Hatch Development Group to construct two row house style dwellings along Leyner Street. The Concept Plan also includes two existing single-family dwellings that front 19<sup>th</sup> Street and three vacant lots that could be developed later with uses allowed in the "R-HD" Residential Historic District.

- 2. Size of Site:** 96,267 square feet (2.21 acres) including the right-of-way proposed for vacation.
- 3. Existing Land Use (site):** The subject site contains the Smokey Row Coffee Shop, two single-family dwellings that front Crocker Street, two single-family dwellings that front 19<sup>th</sup> Street and six vacant parcels. Two of the vacant parcels contain an illegal gravel parking lot for the coffee shop business. The gravel was originally placed to provide construction staging during the renovation of the coffee shop site.

The two dwellings that front Crocker Street have been purchased by the applicant and need to be removed from the site to facilitate the proposed parking lot. The applicant has submitted a letter indicating that they are willing to allow any interested party to move these houses and would contribute the cost of their demolition, up to a combined maximum of \$15,000, towards their relocation.

- 4. Existing Zoning (site):** "NPC" Neighborhood Pedestrian Commercial, "R-3" Multiple Family Residential District and "R-HD" Residential Historic District.

#### **5. Adjacent Land Use and Zoning:**

**North** - "NPC", Uses are the Cottage Grove Avenue and Martin Luther King Jr. Parkway corridors.

**East** - "NPC" & "R-HD", Uses are office and single-family residential.

**South** - "R-3" & "R-HD", Use is single-family residential.

**West** - "NPC", Use is Martin Luther King Jr. Parkway.

6. **General Neighborhood/Area Land Uses:** The subject site is located in a dense neighborhood consisting of a mix of single and multi-family dwellings with scattered small-scale commercial uses. The site is located along the Martin Luther King, Jr. Parkway corridor.
7. **Applicable Recognized Neighborhood(s):** Sherman Hill Neighborhood.
8. **Relevant Zoning History:** The applicant previously submitted a request to rezone the proposed parking lot site to the “NPC” District to allow the development of a 42-stall parking lot. This request was never discussed by the Commission as it was continued by the Commission on September 16, October 7, and October 21, 2010 and withdrawn before the November 18, 2010 meeting.
9. **2020 Community Character Land Use Plan Designation:** Mixed Use and Density Residential.

The 2020 Community Character Plan states the following regarding this land use designation.

*Mixed Use and Density Residential:* Areas developed with a mix of densities and some limited retail and office. Encourages a mix of single-family, duplex, small multiple-family as well as developments over 17 units per net acre.

10. **Applicable Regulations:** The Commission reviews all proposals to amend zoning regulations or zoning district boundaries within the City of Des Moines. Such amendments must be in conformance with the comprehensive plan for the City and designed to meet the criteria in §414.3 of the Iowa Code. The Commission may recommend that certain conditions be applied to the subject property if the property owner agrees in writing, in addition to the existing regulations. The recommendation of the Commission will be forwarded to the City Council.

The Commission reviews all proposals to vacate land dedicated for a specific public purpose, such as for streets and parks, to determine whether the land is still needed for such purpose or may be released (vacated) for other use. The recommendation of the Commission is forwarded to the City Council.

## II. ADDITIONAL APPLICABLE INFORMATION

1. **Drainage/Grading:** The applicant must comply with the City’s storm water management, soil erosion protection and grading requirements as approved by the City’s Permit and Development Center’s engineering staff during the Development Plan (site plan) and platting stages.

The Concept Plan includes a note that states “bio-retention facilities shall be utilized for the control and management of any rainwater run-off. These facilities can be made-up of any combination of bio-retention management practices such as permeable paving, bio-swales, bio-retention cells, etc.”

2. **Utilities:** Easements must be provided for all existing utilities located in the subject right-of-ways until such time they are relocated.

- 3. Traffic/Street System:** The subject segment of Crocker Street is a dead-end street. The applicant owns all of the property that adjoins this portion of Crocker Street. The subject alley is undeveloped. The southernmost portion of the alley is partially covered with gravel and used for parking by the adjoining property to the east (1931 Leyner Street). Staff believes that the subject right-of-ways are not needed for a public purpose and that their vacation would not impact traffic patterns in the area.

The adjoining portion of 19<sup>th</sup> Place is paved with gravel. This is not a suitable material for the level of traffic generated by the coffee shop and parking lot. Staff recommends that approval be subject to the applicant paving 19<sup>th</sup> Place with a surface as approved by the City Engineer.

- 4. Access or Parking:** The submitted Concept Plan includes a 50-stall parking lot with access from Crocker Street to the north and 19<sup>th</sup> Place to the east. The proposed parking lot would be utilized by the existing coffee shop site. The existing coffee shop site contains the 4,953-square foot building and a 13-stall parking lot.

The existing coffee shop site is zoned “NPC” District, which requires a minimum of 20 parking spaces and a maximum of 33 parking spaces for the coffee shop business. The “NPC” District allows this requirement to be met by off-street parking and adjoining on-street parking spaces. The City’s typical parking requirement for this type of a use in a commercial zoning district would be a minimum of 33 off-street spaces or 1 space per 150 square feet of gross floor area.

The City’s Traffic and Transportation Division has reviewed the on-street parking in the area and found that modifications could be made that would add an additional 20 to 22 on-street parking spaces. This could be accomplished by adjusting stop sign locations, constructing insets and removing some of the parking prohibitions that remain from before Martin Luther King, Jr. Parkway was reconstructed along the western edge of the Sherman Hill Neighborhood.

- 5. Landscape & Buffering:** The submitted Concept Plan identifies the location of proposed trees, a proposed 6-foot tall wood fence along the southern perimeter of the parking lot and a proposed 4-foot tall brick wall along the west perimeter of the parking lot. The Concept Plan also includes a note regarding landscaping that states the following.

*“This conceptual plan indicates general overstory plant material locations. Pedestrian scale landscaping will be shown on any submitted Development Plan.”*

Staff believes that a note should be added to the Concept Plan that states the site will be developed in accordance with the City’s Landscaping Standards for the “C-2” District unless higher requirements are identified on the Concept Plan.

At a minimum, the following be provided:

- A 10'-wide bufferyard with a 75% opaque fence or wall with 2 overstory trees and 6 evergreen trees per 100 lineal feet along property lines that adjoin residential development.

- A 5'-wide parking/display lot perimeter strip with a concrete curb edge with 1 overstory tree and 3 shrubs per 50 lineal feet of street frontage.
- Parking lot interior plantings of 1 overstory tree and 3 shrubs per 20 parking spaces.

These standards would require 4 overstory trees and 12 evergreen trees along the southern perimeter of the parking lot parcel, 3 overstory trees and 8 shrubs within the interior of the parking lot, 3 overstory trees and 8 shrubs along 19<sup>th</sup> Place and 4 overstory trees and 13 shrubs along Martin Luther King Jr. Parkway.

The Concept Plan indicates that the parking lot would be setback 5 feet from the Martin Luther King Jr. Parkway right-of-way and 7 feet from the 19<sup>th</sup> Place right-of-way. This does not comply with the Landscaping Standard's 10-foot minimum for a parking lot of this size. Staff believes that the proposed 5-foot setback from Martin Luther King Jr. Parkway is appropriate if the proposed 4-foot tall brick wall is constructed when the parking lot is constructed. The Concept Plan labels the wall as a "future" item which leaves its construction timeframe in doubt. Staff believes that a 7-foot setback is appropriate for 19<sup>th</sup> Place as this right-of-way is utilized as an alley.

Staff believes that for continuity along Martin Luther King Jr. Parkway and the buffering of the proposed row houses on Lot 6 that the tree line shown along the west edge of the parking lot should be continued south along the west property line of Lot 6.

- 6. Urban Design:** The subject site is located in the Sherman Hill Neighborhood. However, only the lots fronting 19<sup>th</sup> Street and the eastern half of the current Smokey Row site are in the Sherman Hill Local Historic District, as the center line of 19<sup>th</sup> Place is the western boundary of the district. However, staff believes that the Local Historic Design Guidelines should be used to guide any future development of the site that is not within the district given its proximity to the local historic district. Staff recommends that approval be subject to the proposed parking lot fence, and Lot 5 and Lot 6 being developed in accordance with the City's Local Historic District Design Guidelines to the satisfaction of the Community Development Director.

The submitted Concept Plan includes the following notes regarding lighting.

*"Parking lot lighting is to be down-directional, sharp cut-off with a pole height not to exceed 25 feet. "Poles and fixtures are to match the poles and fixtures within the existing restaurant parking lot."*

*"Site lighting levels at all property lines adjacent to the proposed parking lot are not to exceed 1 foot-candle."*

Staff believes that the poles should be a maximum of 20 feet in height including any necessary bases. Twenty feet has been a typical maximum used in setting such as these. Twenty feet is the maximum identified in the recently adopted Gas Station/Convenience Store Design Guidelines. It was also the standard that was used for the Ingersoll Dahl's project.

## **SUMMARY OF DISCUSSION**

Jason Van Essen presented the staff report and recommendation.

Mike Ludwig clarified this item was brought forth in order to resolve an ongoing zoning violation that has been under enforcement. They took the Commission's advice and met with neighborhood and submitted a Plan Unit Development. A letter of support from the Sherman Hill Neighborhood Association was distributed to the Commission.

Brian Millard asked if the wording of condition #4 would require the same type of interesting masonry wall as the wall for the dumpster enclosure that was previously brought before the Commission.

Jason Van Essen confirmed that condition 3 states that the wall needs to match the existing dumpster enclosure.

Brian Millard asked what the historic district guidelines for the fence will be.

Jason Van Essen stated a privacy fence of wood is required to have posts that are exposed to provide some interest to the fence and the fences should step up/down in sections along grade.

William Lillis and Chris Pose 317 6<sup>th</sup> Avenue representing Monte and Krista Bennett stated that the applicant agrees with staff recommendations. He showed the Commission a plan of what is being proposed. The applicant owns the two houses called "the twins" and they are committed to moving the two houses within the Sherman Hill Neighborhood. The applicant and neighborhood association had many meetings and are cooperative.

CJ Stephens asked the value of the two homes called "the twins" that are going to be moved and if they are considered to be low rent housing.

William Lillis stated that the applicant paid \$150,000 for the two homes which are currently occupied. They are not low rent housing. The applicant and the neighborhood association agreed that the applicant will provide the two homes at no cost to the neighborhood association and provide money to have them moved.

Carol Bowers with Hatch Development 1323 Locust stated that the units Hatch will be developing on the site are Greystones that will fit very well in the neighborhood. They are affordable housing. They are rent to own units under the Iowa Finance Authority Rose Program. They are going to plant sycamore trees all along MLK abutting their property.

William Lillis stated they are trying to keep the vacant lots on 19<sup>th</sup> Place to develop as residential housing under the RHD standards. In the PUD there will be a combination residential and non-residential uses.

## **CHAIRPERSON OPENED THE PUBLIC HEARING**

*The following spoke in support of the applicant's request:*

Ryan Howell 831 16<sup>th</sup> Street, president of the Sherman Hill Neighborhood Association stated that the Neighborhood Association is in support of the applicant's request.



Robert Lower 846 19<sup>th</sup> stated that Smokey Row is one of the best things to happen in the neighborhood and he is 100% in favor of the applicant's request.

Michael LaValle 435 49<sup>th</sup> Street stated that he is in favor of the project and excited about the outcome.

*There was no one to speak in opposition of the applicant's request*

### **CHAIRPERSON CLOSED THE PUBLIC HEARING**

Brian Millard stated he is concerned about the planting of the Sycamore Trees because when the others were planted they were planted improperly. He suggest that when Hatch Development plant the sycamore trees along MLK on the property that they follow all of the guidelines and plant them properly.

Kent Sovern clarified that he would abstain from voting on this item as one of the principal investors is a client.

CJ Stephens commented on the sycamore trees that most master arborist in the industry recommend diversification.

Mike Ludwig stated that he wanted to thank the applicant and the neighborhood for their work on this project. There were a lot of meetings that occurred. Staff was not a part of those meetings. The applicant and the neighborhood worked together to come up with a solution that is going to be a win-win for everybody.

### **COMMISSION ACTION:**

John "Jack" Hilmes moved staff recommendation Part A) to find the proposed rezoning in conformance with the existing Des Moines' 2020 Community Character Plan Future Land Use Map; Part B & C) to approve the proposed rezoning and PUD Concept Plan subject to the following conditions.

1. Pavement of 19<sup>th</sup> Place from Crocker Street at the north to Leyner Street at the south with a hard surface as approved by the City Engineer.
2. Provision of a note on the Concept Plan that states the site shall be developed in accordance with the City's Landscaping Standards for the "C-2" District except that a 5-foot setback and a 4-foot high brick wall shall be provided along Martin Luther King, Jr. Parkway, and a 7-foot bufferyard shall be provided along 19<sup>th</sup> Place.
3. The brick wall along Martin Luther King Jr. Parkway shall consist of a design that matches the existing dumpster enclosure to the satisfaction of the Community Development Director and shall be constructed prior to issuance of any certificate of occupancy for the parking lot.
4. Fencing shall be constructed with a design that complies with the City's Local Historic District Fence Design Guidelines to the satisfaction of the Community Development Director and shall be constructed prior to issuance of any certificate of occupancy for the parking lot.
5. Overstory trees shall be provided along the western edge of Lot 6 to match the tree layout along the western edge of the parking lot.

6. Parking lot light poles shall not exceed 20 feet in height including any necessary base.
7. Provision of a note on the Concept Plan that states Lot 5 and Lot 6 shall be developed in accordance with the City's Local Historic District Design Guidelines to the satisfaction of the Community Development Director; and

Part D) to approve the request to vacate the dead end portion of Crocker Street west of 19<sup>th</sup> Place and to vacate the north/south alley west of 19<sup>th</sup> Place from Martin Luther King Jr. Parkway to Leyner Street subject to the provision of easements for any existing utilities.

Motion passed 9-0-2 (Kent Sovern and Will Page abstained)

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Michael Ludwig".

Michael Ludwig, AICP  
Planning Administrator

MGL:clw

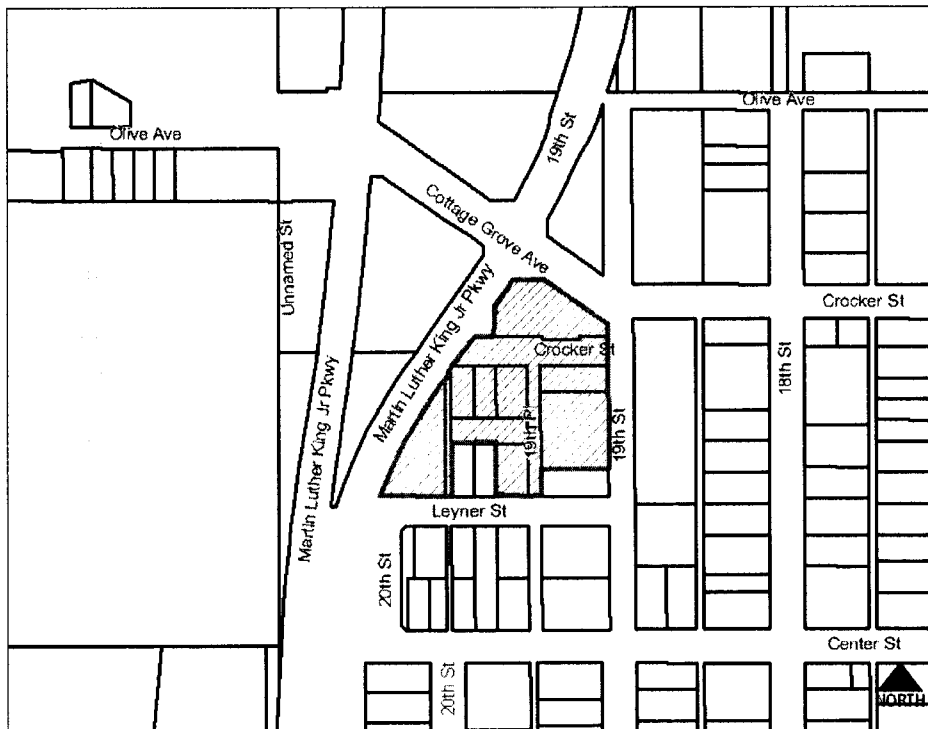
Attachment

19A

Request from Monte and Krista Bennett (developer) to rezone property located in the vicinity of 1910 Cottage Grove Avenue. Additional subject property is owned by Bennett Property Management, LLC, Hatch Development Group, and Michael LaValle.				<b>File #</b> <b>ZON2011-00003</b>	
<p>B) Rezone property from "NPC" Neighborhood Pedestrian Commercial District, "R-HD" Residential Historic District, and "R-3" Multiple Family District to "PUD" Planned Unit Development.</p> <p>C) Approval of a PUD Conceptual Plan for "Smokey Row" to incorporate the existing 4,886 square-foot coffee house and restaurant with 13 spaces of off-street parking and two existing single-family dwellings, along with development of up to 50 additional off-street parking spaces, two single-family dwelling development lots subject to "R-HD" requirements, and two row house style single-family dwellings.</p>					
<b>Description of Action</b>	Review and approval of rezoning property located in the vicinity of 1910 Cottage Grove Avenue and review and approval of a PUD Conceptual Plan for "Smokey Row"				
<b>2020 Community Character Plan</b>	Mixed Use and Density Residential				
<b>Horizon 2035 Transportation Plan</b>	No Planned Improvements				
<b>Current Zoning District</b>	"NPC" Neighborhood Pedestrian Commercial District, "R-HD" Residential Historic District, and "R-3" Multiple Family District				
<b>Proposed Zoning District</b>	"PUD" Planned Unit Development District				
<b>Consent Card Responses</b>	In Favor	Not In Favor	Undetermined	% Opposition	
Inside Area	7	2			
Outside Area					
<b>Plan and Zoning Commission Action</b>	Approval	9-0-2	<b>Required 6/7 Vote of the City Council</b>	Yes	
	Denial			No	X

Monte &amp; Krista Bennett - 1910 Cottage Grove Avenue

ZON2011-00003



Item 2011 00003

Date \_\_\_\_\_

I (am) ☒ (am not) in favor of the request.

**RECEIVED**  
**COMMUNITY DEVELOPMENT**

FEB 1 2011

**DEPARTMENT**

Print Name Dolores Williams

Signature Dolores Williams

Address 1921 Center St. DEN, IA

30314

Reason for opposing or approving this request may be listed below:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Item 2011 00003

Date 2-10-11

I (am) ☒ (am not) in favor of the request.

**RECEIVED**  
**COMMUNITY DEVELOPMENT**

FEB 4 2011

**DEPARTMENT**

Print Name Doug McBride

Signature [Signature]

Address 716 26 St.

**WOODLAND HEIGHTS**  
**NEIGHBORHOOD ASSN**

Reason for opposing or approving this request may be listed below:

THIS IS A HISTORIC DISTRICT AND  
ALL ARCHITECTURE SHOULD REFLECT  
A STYLE COMMON TO THE  
NEIGHBORHOOD. NO LOW RENT  
HOUSING TO DESTROY THE ASTHETICS  
OF OUR NEIGHBORHOOD.

Item 2011 00008

Date 2-11-11

19A

I ☒ (am) (am not) in favor of the request.

(Circle One)  
**RECEIVED**  
**COMMUNITY DEVELOPMENT**  
FEB 16 2011

Print Name Monte Bennett  
Signature [Signature]

Address 805 Linden Pl Pleasantville  
IA. 50225

Reason for opposing or approving this request may be listed below:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
SUBSECT 15-1-1-1

Item 2011 00008

Date 2-10-11

I ☒ (am) (am not) in favor of the request.

(Circle One)  
**RECEIVED**  
**COMMUNITY DEVELOPMENT**  
FEB 14 2011

Print Name Monte Bennett

Signature [Signature]

Address 1910 Cottage grove Des Moines

**DEPARTMENT**

Reason for opposing or approving this request may be listed below:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
SUBSECT 15-1-1-1

Item 2011 00003 Date 2-9-11

19A

☒ (am) (am not) in favor of the request.

**RECEIVED**  
**COMMUNITY DEVELOPMENT**

FEB 11 2011

Print Name Robert D. Lower  
Signature Robert D. Lower  
Address 846 19th St.

**DEPARTMENT**

Reason for opposing or approving this request may be listed below:

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Item 2011 00003 Date 2-9-11

☒ (am) (am not) in favor of the request.

**RECEIVED**  
**COMMUNITY DEVELOPMENT**

FEB 11 2011

Print Name Michael LaValle  
Signature Michael R. LaValle  
Address 834 19th St.

**DEPARTMENT**

Reason for opposing or approving this request may be listed below:

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Item 2011 00003 Date 2-10-11

19A

☒ (am) (am not) in favor of the request.

(Circle One)

**RECEIVED**  
**COMMUNITY DEVELOPMENT**

Print Name

Signature

FEB 14 2011

Address

James Gaylin  
[Signature]  
2900 Southern Hills Circle

**DEPARTMENT**

Reason for opposing or approving this request may be listed below:

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Item 2011 00003 Date 2/11/11

☒ (am) (am not) in favor of the request.

(Circle One)

**RECEIVED**  
**COMMUNITY DEVELOPMENT**

Print Name

Signature

FEB 14 2011

Address

Planned Parenthood of the Heartland  
Jennie R. Canney CFO  
1171 7th Des Moines, IA 50319

Reason for opposing or approving this request may be listed below:

**DEPARTMENT**

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19A

Item 2011 00009 Date 2-11-11

(am) (am not) in favor of the request.

(Circle One)

**RECEIVED**  
**COMMUNITY DEVELOPMENT**

Print Name Kenneth L Linhart

Signature [Signature]

FEB 18 2011

Address 901 19th Dsm

**DEPARTMENT**

Reason for opposing or approving this request may be listed below:

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\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_





19A

February 17, 2011

Plan and Zoning Commission for the City of Des Moines  
c/o Erik Lundy  
[emlundy@dmgov.org](mailto:emlundy@dmgov.org)

RE: February 17, 2011 Plan and Zoning Agenda Item #4 – Monte and Krista Bennett  
(developer) in Sherman Hill

Dear Plan and Zoning Commission,

This letter is on behalf of the Sherman Hill Association, Inc. ("SHA"). SHA Board of Directors voted in support of the proposed development by Bennett Property Management, LLC ("Smokey Row"). Specifically, we write this letter in support of the proposed development of the conceptual plan referred to as Plan Alternate 2 (hereafter "PUD").

Smokey Row has been in an ongoing dialogue with SHA and the immediate neighbors regarding this development. The dialogue has included several discussions between the affected parties and public meetings. Smokey Row has incorporated neighborhood input into its final design. For example, Smokey Row has added a 35 foot buffer between the neighboring southern properties and is working with neighbors to finalize landscaping details in the final design, such as fence composition and easements.

Preservation of the houses currently located at 1920 and 1918 Crocker Street ("Twins") are a vital interest to SHA. Smokey Row has agreed to donate the Twins, as well as contribute \$40,000.00 to SHA toward the movement of these homes to new lots and construction of new foundations. This agreement will allow the development of the proposed parking lot and save the Twins from demolition. SHA believes their restoration will contribute to both the neighborhood and Smokey Row's long-term investment.

Sherman Hill is a diverse neighborhood with many residents that are passionate about historic preservation (among other things). There are some residents who preferred to keep the Twins in their current location at any cost. SHA has worked with Smokey Row to find a compromise agreement which preserves the homes and allows Smokey Row to develop additional parking for its customers. We believe we have reached a solution that benefits all parties and ask that you support this PUD.

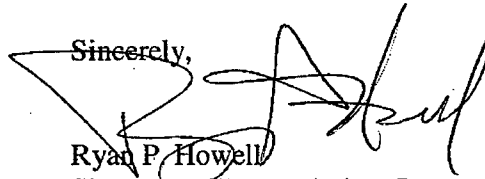
**Sherman Hill Association, Inc. • 1620 Pleasant Street, Suite 204 • Des Moines, IA 50314**

SHA would like to acknowledge Smokey Row's cooperation and receptiveness to neighborhood input for this project. We look forward to the continued dialogue regarding the final details and working as partners to improve our neighborhood. SHA supports Smokey Row's continued success in Sherman Hill and appreciates its current and future contributions to the neighborhood.

Thank you for your consideration of the SHA's input on this and other development related to Sherman Hill.

Please let me know if you have any questions regarding this letter of support.

Sincerely,



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